



BellSouth Telecommunications, Inc.

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June 12, 2003

VIA HAND DELIVERY

Henry Walker, Esquire
Boult, Cummings, et al.
414 Union Street, #1600
Nashville, TN 37219-8062

Re: Petition for Arbitration of ITC^DeltaCom Communications, Inc. with
BellSouth Telecommunications, Inc. Pursuant to the
Telecommunications Act of 1996
Docket No. 03-00119

Dear Henry:

Enclosed are BellSouth's First Interrogatories and First Request for Production of Documents to DeltaCom.

Very truly yours,

Guy M. Hicks

GMH:ch

BEFORE THE TENNESSEE REGULATORY AUTHORITY
Nashville, Tennessee

In Re: Petition for Arbitration of ITC^DeltaCom Communications, Inc. with
BellSouth Telecommunications, Inc. Pursuant to the
Telecommunications Act of 1996

Docket No. 03-00119

BELLSOUTH TELECOMMUNICATIONS, INC.'S
FIRST SET OF INTERROGATORIES
AND REQUESTS FOR PRODUCTION OF DOCUMENTS
TO ITC^DELTA COM COMMUNICATIONS, INC.

BellSouth Telecommunications, Inc. ("BellSouth") hereby requests ITC^DeltaCom Communications, Inc. ("DeltaCom") to provide answers in response to the following Interrogatories and Requests for Production by July 2, 2003, pursuant to the Notice of Procedural Schedule issued in this docket on June 5, 2003.

INSTRUCTIONS

1. If any response required by way of answer to these Interrogatories and Requests for Production is considered to contain confidential or protected information, please furnish this information subject to a protective order entered in this proceeding.
2. If any response required by way of answer to these Interrogatories and Requests for Production is withheld under a claim of privilege, please identify the privilege asserted and describe the basis for such assertion.
3. These Interrogatories and Requests for Production are to be answered with reference to all information in your possession, custody or control or

reasonably available to you. These Interrogatories and Requests for Production are intended to include requests for information, which is physically within DeltaCom's possession, custody or control as well as in the possession, custody or control of DeltaCom's members, agents, attorneys, or other third parties from which such information may be obtained.

4. If any Interrogatory or Request for Production cannot be responded to in full, answer to the extent possible and specify the reason for your inability to respond fully. If you object to any part of an Interrogatory or Request for Production, answer all parts to which you do not object, and as to each part to which you do object, separately set forth the specific basis for the objection.

5. These Interrogatories and Requests for Production are continuing in nature and require supplemental responses should information unknown to you at the time you serve your responses subsequently become known or should your initial response be incorrect or untrue.

DEFINITIONS

1. "DeltaCom" means ITC^DeltaCom Communications, Inc., any predecessors in interest, its parent, subsidiaries, and affiliates, their present and former officers, employees, agents, directors, and all other persons acting or purporting to act on behalf of DeltaCom.

2. "You" and "your" refer to DeltaCom.

3. "Person" means any natural person, corporation, corporate division, partnership, other unincorporated association, trust, government agency, or entity.

4. "And" and "or" shall be construed both conjunctively and disjunctively, and each shall include the other whenever such construction will serve to bring within the scope of these Interrogatories information that would not otherwise be brought within their scope.

5. "Identification" or "identify" when used in reference to: (i) a natural individual, requires you to state his or her full name and residential and business address; (ii) a corporation, requires you to state its full corporate name and any names under which it does business, the state of incorporation, and the address of its principal place of business; (iii) a document, requires you to state the number of pages and the nature of the document (e.g., a letter or memorandum), its title, its date, the name or names of its authors and recipients, and its present location or custodian; (iv) a communication, requires you, if any part of the communication was written, to identify the document or documents which refer to or evidence the communication, and to the extent that the communication was not written, to identify the persons participating in the communication and to state the date, manner, place, and substance of the communication.

6. The term "document" shall have the broadest possible meaning under applicable law and includes, without limitation, every writing or record of every type and description that is in the possession, custody or control of DeltaCom, including, but not limited to, correspondence, memoranda, drafts, workpapers, summaries, stenographic or handwritten notes, studies, publications, books, pamphlets, reports, surveys, minutes or statistical compilations, computer and other electronic records or tapes or printouts, including, but not limited to,

electronic mail files, and copies of such writing or records containing any commentary or notation whatsoever that does not appear in the original.

7. "Arbitration Petition" refers to the petition filed by DeltaCom on February 07, 2003, requesting arbitration under Section 252(b) of the Communications Act of 1934, as amended by the Telecommunications Act of 1996 ("Act").

8. "Incumbent Local Exchange Carrier" refers to the term as defined in Section 251(h) of the Act, as codified in 47 U.S.C. § 251(h).

INTERROGATORIES

1. For each switch that is used by or on behalf of DeltaCom to provide service to DeltaCom's end users at locations in the State of Tennessee, please:

- (a) describe the switch (including the manufacturer of the switch and the model of the switch);
- (b) identify the person or entity that owns, operates, and/or maintains the switch;
- (c) identify the building (including without limitation the address of the building) in which the switch is located;
- (d) state the total number of access lines (or equivalents thereof) providing service to DeltaCom end users in the State of Tennessee that are served by the switch;
- (e) provide a list of addresses of the end user locations in the State of Tennessee that are served by the switch; and

- (f) state the total number of access lines (or equivalent thereof) served at each such address.

2. For each switch identified in your response to Interrogatory No. 1, please state:

- (a) whether the switch is capable of performing local switching functionality;
- (b) the extent to which the switch has been used or is being used to perform local switching functionality by or on behalf of DeltaCom for access lines (or the equivalents thereof) serving DeltaCom end users as of the end of year 1999, end of year 2000, end of year 2001, end of year 2002, and the most recently available data for 2003;
- (c) the extent to which the switch has been used or is being used to perform local switching functionality by or on behalf of DeltaCom for access lines (or the equivalents thereof) serving the end users of any other carrier as of the end of year 1999, end of year 2000, end of year 2001, end of year 2002, and the most recently available data for 2003.

3. Does DeltaCom contend that the switch(es) described in your response to Interrogatory No. 1 serve a comparable geographic area to BellSouth's tandem switches in the State of Tennessee? If so, please state all facts, identify all documents, and identify all persons who can support this contention.

4. Has any state Commission found that one or more of DeltaCom's switch(es) in that state serve a comparable geographic area to an Incumbent Local Exchange

Carrier's tandem switch(es) in that state? If so, please identify each such state Commission, identify the proceeding in which the state Commission made such a finding (including the case name, docket number, and date the case was filed), and identify any orders the state Commission issued that include the finding.

5. Has DeltaCom requested that any State Commission determine whether DeltaCom is entitled to reciprocal compensation at the tandem interconnection rate? If so, please identify each such state Commission, identify the proceeding in which DeltaCom asked the state Commission to make the determination (including the case name, docket number, and date the case was filed), identify any orders the state Commission issued that address the request, and describe with particularity the state Commission's resolution of the request.

6. Please explain in detail (using illustrative diagrams to the extent possible) the circumstances under which DeltaCom proposes to charge BellSouth the tandem-switching rate. For each set of circumstances identified, please state the total amount DeltaCom proposes to charge BellSouth and describe in detail how such amount was calculated (including, without limitation, the identification of any rate elements from set forth in the Interconnection Agreement used to calculate the amount).

7. Please state the total number of access lines (or equivalents thereof) by which DeltaCom was providing local exchange service(s) to: (a) residential end users located in Tennessee; and (b) business end users located in Tennessee as of the following dates: end of year 1999; end of year 2000, end of year 2001, end of year 2002, and the most recently available data for 2003.

8. Please state the total revenue DeltaCom received from the access lines identified in your response to Interrogatory No. 7.
9. Please state the total number of access lines (or equivalents thereof) by which DeltaCom was providing local exchange service(s) to: (a) residential end users located in UNE Zone 1, UNE Zone 2, and UNE Zone 3 in Tennessee; and (b) business end users located in UNE Zone 1, UNE Zone 2, and UNE Zone 3 in Tennessee as of the following dates: end of year 1999; end of year 2000, end of year 2001, end of year 2002, and the most recently available data for 2003.
10. Please state the total revenue DeltaCom received from the access lines identified in your response to Interrogatory No. 9.
11. As of end of year 1999, end of year 2000, end of year 2001, end of year 2002, and the most recently available date for 2003, please identify with specificity any and all transport facilities (other than BellSouth transport facilities) that are used to carry traffic associated with DeltaCom's end users or DeltaCom's wholesale customers located in the State of Tennessee. For each such facility, please identify:
- (a) the originating and terminating point of the facility;
 - (b) the person(s) and/or entity(s) that own, operate, and/or maintain the facility;
 - (c) the terms and conditions of any contract or other arrangement by which the facility is used to carry traffic associated with DeltaCom end users located in the State of Tennessee; and

(d) the type of traffic associated with DeltaCom end users located in the State of Tennessee that is carried over the facility (i.e. local, intraLATA, interLATA, interstate, voice, data, etc.).

12. Please identify each instance in which DeltaCom contends that BellSouth has conducted an audit under any interconnection agreement to which DeltaCom is or was a party. In doing so, please describe the nature of the audit, the scope of the audit, the results of the audit, and the amount of audit-related costs (if any) that DeltaCom was asked to reimburse to BellSouth.

13. Please identify with specificity each and every instance in which BellSouth purportedly has shut down OSS systems during normal working hours without consent from the CLECs.

14. For the purpose of this interrogatory, please assume that: (1) BellSouth is providing local exchange service to an end user over an IDLC loop; (2) DeltaCom wins the local exchange business of that end user; and (3) upon the end user's conversion from BellSouth to DeltaCom, an entity other than BellSouth will be providing the local switching functionality with regard to this loop. Does DeltaCom contend that it is possible – without additional analog to digital conversions – for BellSouth to provide the same IDLC loop to DeltaCom on an unbundled basis without running the IDLC loop through BellSouth's switch using the "hair-pin" or "side-door" capability as currently utilized (when possible) by BellSouth?

15. If your answer to Interrogatory No. 14 is anything other than an unqualified "no," please explain in detail (using illustrative diagrams to the extent possible) exactly how – without additional analog to digital conversions – it is possible for

BellSouth to provide the same IDLC loop to DeltaCom on an unbundled basis without running the IDLC loop through BellSouth's switch using the "hair-pin" or "side-door" capability as currently utilized by BellSouth when possible.

16. Please identify each and every person or entity that is actually using the methods or procedures set forth in your response to Interrogatory No. 15 and describe any tests (including the results thereof) that have been performed regarding the methods or procedures set forth in your response to Interrogatory No. 15.

17. Has DeltaCom responded to BellSouth's "white paper" regarding cooperative technology testing (this "white paper" was attached as Exhibit WKM-1 to the prefiled testimony of BellSouth witness Keith Milner in the Alabama arbitration proceedings)?

18. If your response to Interrogatory No. 17 is anything other than an unqualified "no," please describe in detail the date, time, and manner in which DeltaCom responded to the referenced document, identify all documents that set forth DeltaCom's response, and explain in detail the substance of DeltaCom's response.

19. To the extent that DeltaCom disagrees with any of BellSouth's findings as set forth in the "white paper" described in Interrogatory No. 17, please identify each finding with which DeltaCom disagrees, explain with specificity the basis for DeltaCom's disagreement, and identify any documents that set forth or support the basis for DeltaCom's disagreement.

20. As of end of year 1999, end of year 2000, end of year 2001, end of year 2002, and the most recently available date for 2003, please identify the number of DeltaCom employees who reside in the state of Tennessee and/or that perform the majority of their work on behalf of DeltaCom in the state of Tennessee.

21. As of end of year 1999, end of year 2000, end of year 2001, end of year 2002, and the most recently available date for 2003, please identify the total value of DeltaCom's plant, facilities, and equipment in the state of Tennessee.

22. Issue 1 states as follows:

Term of the Agreement (GTC – Section 2.1;2.3 – 2.6):

- a) Should the parties continue to operate under the TRA-approved interconnection agreement pending the TRA's ruling on the arbitration?
- b) If so, what should be the length of the term of the agreement resulting from this arbitration?

For each of DeltaCom's contentions with respect to this Issue, including without limitation those contentions set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority, and (3) pre-filed testimony in other state arbitrations with BellSouth,

- a. State all facts and identify all documents that support each contention;
- b. Identify all authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends supports each contention.
- c. Identify any authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends is inconsistent with BellSouth's position.

- d. State the specific relief DeltaCom currently seeks from the Authority, including any relief that differs from that set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority and (3) pre-filed testimony in other state arbitrations with BellSouth.

23. Issue 2 states as follows:

Directory Listings (GTC – Section 4; Attachment 6 – Section 2.2.2):

- a) Is BellSouth required to provide DeltaCom the same directory listing language it provides to AT&T?
- b) Is BellSouth required to provide an electronic feed of the directory listings of DeltaCom customers?
- c) Does DeltaCom have the right to review and edit its customers' directory listings?
- d) Should there be a credit or PMAP measure for accuracy of directory listings and, if so, what should the credit or PMAP measure?

For each of DeltaCom's contentions with respect to this Issue, including without limitation those contentions set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority, and (3) pre-filed testimony in other state arbitrations with BellSouth,

- a. State all facts and identify all documents that support each contention;
- b. Identify all authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends supports each contention.
- c. Identify any authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends is inconsistent with BellSouth's position.
- d. State the specific relief DeltaCom currently seeks from the Authority, including any relief that differs from that set forth in its (1) Arbitration

Petition, (2) position statements in the Issues Matrices submitted to the Authority and (3) pre-filed testimony in other state arbitrations with BellSouth.

24. Issue 6 states as follows:

Facility Check Information (Attachment 6 – Sections 1.7 and 4.4): Should BellSouth be required to provide to DeltaCom facility check information electronically in the same manner it does to BellSouth's retail operations?

For each of DeltaCom's contentions with respect to this Issue, including without limitation those contentions set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority, and (3) pre-filed testimony in other state arbitrations with BellSouth,

- a. State all facts and identify all documents that support each contention;
- b. Identify all authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends supports each contention.
- c. Identify any authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends is inconsistent with BellSouth's position.
- d. State the specific relief DeltaCom currently seeks from the Authority, including any relief that differs from that set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority and (3) pre-filed testimony in other state arbitrations with BellSouth.

25. Issue 8 states as follows:

Universal or Integrated Digital Loop Carrier ("UDLC/IDLC") Technology (Attachment 2 – Section 3.1): Should BellSouth be required to provide an unbundled loop using IDLC technology to DeltaCom which will allow DeltaCom to provide consumers the same quality of service (i.e., no additional analog to digital conversions) as that offered by BellSouth to its customers?

For each of DeltaCom's contentions with respect to this Issue, including without limitation those contentions set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority, and (3) pre-filed testimony in other state arbitrations with BellSouth,

- a. State all facts and identify all documents that support each contention;
- b. Identify all authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends supports each contention.
- c. Identify any authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends is inconsistent with BellSouth's position.
- d. State the specific relief DeltaCom currently seeks from the Authority, including any relief that differs from that set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority and (3) pre-filed testimony in other state arbitrations with BellSouth.

26. Issue 9 states as follows:

OSS Interfaces (Attachment 6 – Section 3.2): Should BellSouth be required to provide interfaces for OSS to DeltaCom which have functions equal to that provided by BellSouth to BellSouth's retail division?

For each of DeltaCom's contentions with respect to this Issue, including without limitation those contentions set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority, and (3) pre-filed testimony in other state arbitrations with BellSouth,

- a. State all facts and identify all documents that support each contention;

- b. Identify all authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends supports each contention.
- c. Identify any authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends is inconsistent with BellSouth's position.
- d. State the specific relief DeltaCom currently seeks from the Authority, including any relief that differs from that set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority and (3) pre-filed testimony in other state arbitrations with BellSouth.

27. Issue 11 states as follows:

Access to UNEs (Attachment 2 – Sections 1.1, 1.4 and 1.10):

- a) Should the interconnection agreement specify that the rates, terms and conditions of the network elements and combinations of network elements are compliant with state and federal rules and regulations?
- b) Must all network elements be delivered to DeltaCom's collocation arrangement?

For each of DeltaCom's contentions with respect to this Issue, including without limitation those contentions set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority, and (3) pre-filed testimony in other state arbitrations with BellSouth,

- a. State all facts and identify all documents that support each contention;
- b. Identify all authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends supports each contention.
- c. Identify any authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state

case law) or regulatory policy that DeltaCom contends is inconsistent with BellSouth's position.

- d. State the specific relief DeltaCom currently seeks from the Authority, including any relief that differs from that set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority and (3) pre-filed testimony in other state arbitrations with BellSouth.

28. Issue 13 states as follows:

Testing of UNEs (Attachment 6 – Section 4.6.23):

- b) Should the parties be required to perform cooperative testing within two hours of a request from the other party?

For each of DeltaCom's contentions with respect to this Issue, including without limitation those contentions set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority, and (3) pre-filed testimony in other state arbitrations with BellSouth,

- a. State all facts and identify all documents that support each contention;
- b. Identify all authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends supports each contention.
- c. Identify any authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends is inconsistent with BellSouth's position.
- d. State the specific relief DeltaCom currently seeks from the Authority, including any relief that differs from that set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority and (3) pre-filed testimony in other state arbitrations with BellSouth.

29. Issue 15 states as follows:

DADAS (Attachment 2 – Section 13.6.1): Should the rates, terms and conditions for DADAS be included in the interconnection agreement?

For each of DeltaCom's contentions with respect to this Issue, including without limitation those contentions set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority, and (3) pre-filed testimony in other state arbitrations with BellSouth,

- a. State all facts and identify all documents that support each contention;
- b. Identify all authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends supports each contention.
- c. Identify any authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends is inconsistent with BellSouth's position.
- d. State the specific relief DeltaCom currently seeks from the Authority, including any relief that differs from that set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority and (3) pre-filed testimony in other state arbitrations with BellSouth.

30. Issue 18 states as follows:

Testing of NXXs. Call Forwarding Variable and Remote Access to Call Forwarding Variable (Attachment 2 – Section 9.2.5.1; Attachment 6 – Section XX):

- a. Should DeltaCom have access to call forwarding variable and remote access to call forwarding variable when testing whether NXXs are being correctly translated in the BellSouth network?
- b. If so, what rates should apply?

For each of DeltaCom's contentions with respect to this Issue, including without limitation those contentions set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority, and (3) pre-filed testimony in other state arbitrations with BellSouth,

- a. State all facts and identify all documents that support each contention;
- b. Identify all authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends supports each contention.
- c. Identify any authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends is inconsistent with BellSouth's position.
- d. State the specific relief DeltaCom currently seeks from the Authority, including any relief that differs from that set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority and (3) pre-filed testimony in other state arbitrations with BellSouth.

31. Issue 20 states as follows:

SS7 (Attachment 2 – Section 16.1.3.2):

- b) Should BellSouth meet DeltaCom at the central office in the DeltaCom serving wire center?

For each of DeltaCom's contentions with respect to this Issue, including without limitation those contentions set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority, and (3) pre-filed testimony in other state arbitrations with BellSouth,

- a. State all facts and identify all documents that support each contention;

- b. Identify all authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends supports each contention.
- c. Identify any authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends is inconsistent with BellSouth's position.
- d. State the specific relief DeltaCom currently seeks from the Authority, including any relief that differs from that set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority and (3) pre-filed testimony in other state arbitrations with BellSouth.

32. Issue 21 states as follows:

Dark Fiber Availability (Attachment 2 – Section 8.1.1): Does BellSouth have to make available to DeltaCom dark fiber loops and transport at any technically feasible point?

For each of DeltaCom's contentions with respect to this Issue, including without limitation those contentions set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority, and (3) pre-filed testimony in other state arbitrations with BellSouth,

- a. State all facts and identify all documents that support each contention;
- b. Identify all authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends supports each contention.
- c. Identify any authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends is inconsistent with BellSouth's position.
- d. State the specific relief DeltaCom currently seeks from the Authority, including any relief that differs from that set forth in its (1) Arbitration

Petition, (2) position statements in the Issues Matrices submitted to the Authority and (3) pre-filed testimony in other state arbitrations with BellSouth.

33. Issue 23 states as follows:

Dark Fiber Holding Period (Attachment 2 – Section 8.2.4): Should BellSouth hold the dark fiber for DeltaCom after receiving a valid, error-free LSR?

For each of DeltaCom's contentions with respect to this Issue, including without limitation those contentions set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority, and (3) pre-filed testimony in other state arbitrations with BellSouth,

- a. State all facts and identify all documents that support each contention;
- b. Identify all authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends supports each contention.
- c. Identify any authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends is inconsistent with BellSouth's position.
- d. State the specific relief DeltaCom currently seeks from the Authority, including any relief that differs from that set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority and (3) pre-filed testimony in other state arbitrations with BellSouth.

34. Issue 24 states as follows:

Rate and Provision of Performance Data (Attachment 2 – Sections 9.1.4.15 and 11.3.2.3):

- a) Should BellSouth be required to provide performance data for customer line, traffic characteristics and common (shared) transport?

- b) What should be the rate for Performance Data that BellSouth provides to DeltaCom regarding customer line, traffic characteristics, and other information? BellSouth be required to provide performance data for end-user customer line, traffic characteristics and common (shared) transport?

For each of DeltaCom's contentions with respect to this Issue, including without limitation those contentions set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority, and (3) pre-filed testimony in other state arbitrations with BellSouth,

- a. State all facts and identify all documents that support each contention;
- b. Identify all authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends supports each contention.
- c. Identify any authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends is inconsistent with BellSouth's position.
- d. State the specific relief DeltaCom currently seeks from the Authority, including any relief that differs from that set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority and (3) pre-filed testimony in other state arbitrations with BellSouth.

35. Issue 25 states as follows:

Provision of ADSL Where DeltaCom is the UNE-P Local Provider (Attachment 2 – Section 8.4): Should BellSouth continue providing an end-user with ADSL service where DeltaCom provides UNE-P local service to that same end user on the same line?

For each of DeltaCom's contentions with respect to this Issue, including without limitation those contentions set forth in its (1) Arbitration Petition, (2) position

statements in the Issues Matrices submitted to the Authority, and (3) pre-filed testimony in other state arbitrations with BellSouth,

- a. State all facts and identify all documents that support each contention;
- b. Identify all authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends supports each contention.
- c. Identify any authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends is inconsistent with BellSouth's position.
- d. State the specific relief DeltaCom currently seeks from the Authority, including any relief that differs from that set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority and (3) pre-filed testimony in other state arbitrations with BellSouth.

36. Issue 26 states as follows:

Local Switching – Line Cap and Other Restrictions (Attachment 2 – Sections 9.1.3.2 and 9.1.2):

- a) Is the line cap on local switching in certain designated MSAs only for a particular customer at a particular location?
- b) Should the Agreement include language that prevents BellSouth from imposing restrictions on DeltaCom's use of local switching?
- c) Is BellSouth required to provide local switching at market rates where BellSouth is not required to provide local switching as a UNE?
- d) What should be the market rate?

For each of DeltaCom's contentions with respect to this Issue, including without limitation those contentions set forth in its (1) Arbitration Petition, (2) position

statements in the Issues Matrices submitted to the Authority, and (3) pre-filed testimony in other state arbitrations with BellSouth,

- a. State all facts and identify all documents that support each contention;
- b. Identify all authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends supports each contention.
- c. Identify any authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends is inconsistent with BellSouth's position.
- d. State the specific relief DeltaCom currently seeks from the Authority, including any relief that differs from that set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority and (3) pre-filed testimony in other state arbitrations with BellSouth.

37. Issue 27 states as follows:

Treatment of Traffic Associated with Unbundled Local Switching but Using DeltaCom's CIC (Attachment 2 – Section 9.1.7): Should calls originated by a DeltaCom end-user or BellSouth end-user and terminated to either DeltaCom or BellSouth be treated as local if the call originates and terminates within the LATA?

For each of DeltaCom's contentions with respect to this Issue, including without limitation those contentions set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority, and (3) pre-filed testimony in other state arbitrations with BellSouth,

- a. State all facts and identify all documents that support each contention;
- b. Identify all authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state

case law) or regulatory policy that DeltaCom contends supports each contention.

- c. Identify any authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends is inconsistent with BellSouth's position.
- d. State the specific relief DeltaCom currently seeks from the Authority, including any relief that differs from that set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority and (3) pre-filed testimony in other state arbitrations with BellSouth.

38. Issue states as follows:

AIN Triggers (Attachment 2 – Section 9.1.4.16): Should BellSouth offer AIN triggers on a stand-alone basis via DeltaCom's interconnected STPs?

For each of DeltaCom's contentions with respect to this Issue, including without limitation those contentions set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority, and (3) pre-filed testimony in other state arbitrations with BellSouth,

- a. State all facts and identify all documents that support each contention;
- b. Identify all authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends supports each contention.
- c. Identify any authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends is inconsistent with BellSouth's position.
- d. State the specific relief DeltaCom currently seeks from the Authority, including any relief that differs from that set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority and (3) pre-filed testimony in other state arbitrations with BellSouth.

39. Issue 30 states as follows:

Provision of Combinations (Attachment 2 – Sections 1.3 and 1.7):

- a) Should BellSouth be required to provide combinations if they are technically feasible?
- b) Should BellSouth be required to provide DeltaCom the same conditions for network elements and combinations that BellSouth has provided to other carriers?
- c) What terms and conditions should apply to the provisions of combinations?

For each of DeltaCom's contentions with respect to this Issue, including without limitation those contentions set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority, and (3) pre-filed testimony in other state arbitrations with BellSouth,

- a. State all facts and identify all documents that support each contention;
- b. Identify all authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends supports each contention.
- c. Identify any authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends is inconsistent with BellSouth's position.
- d. State the specific relief DeltaCom currently seeks from the Authority, including any relief that differs from that set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority and (3) pre-filed testimony in other state arbitrations with BellSouth.

40. Issue 31 states as follows:

EELs (Attachment 2 – Sections 10.2 and 10.3): Are new EELs ordered by DeltaCom subject to local use restrictions?

For each of DeltaCom's contentions with respect to this Issue, including without limitation those contentions set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority, and (3) pre-filed testimony in other state arbitrations with BellSouth,

- a. State all facts and identify all documents that support each contention;
- b. Identify all authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends supports each contention.
- c. Identify any authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends is inconsistent with BellSouth's position.
- d. State the specific relief DeltaCom currently seeks from the Authority, including any relief that differs from that set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority and (3) pre-filed testimony in other state arbitrations with BellSouth.

41. Issue 33 states as follows:

Special Access Conversions to EELs (Attachment 2 – Section 10.3.1): Can DeltaCom provide a blanket certification that refers to all three safe harbors for special access conversions?

For each of DeltaCom's contentions with respect to this Issue, including without limitation those contentions set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority, and (3) pre-filed testimony in other state arbitrations with BellSouth,

- a. State all facts and identify all documents that support each contention;
- b. Identify all authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends supports each contention.
- c. Identify any authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends is inconsistent with BellSouth's position.
- d. State the specific relief DeltaCom currently seeks from the Authority, including any relief that differs from that set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority and (3) pre-filed testimony in other state arbitrations with BellSouth.

42. Issue 34 states as follows:

Audits (Attachment 2): Should DeltaCom be required to reimburse BellSouth for the full cost of an audit?

For each of DeltaCom's contentions with respect to this Issue, including without limitation those contentions set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority, and (3) pre-filed testimony in other state arbitrations with BellSouth,

- a. State all facts and identify all documents that support each contention;
- b. Identify all authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends supports each contention.
- c. Identify any authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends is inconsistent with BellSouth's position.

- d. State the specific relief DeltaCom currently seeks from the Authority, including any relief that differs from that set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority and (3) pre-filed testimony in other state arbitrations with BellSouth..

43. Issue 36 states as follows:

UNE/Special Access Combinations (Attachment 2 – Sections 10.7 and 10.9.1):

- a) Should DeltaCom be able to connect UNE loops to special access transport?
- b) Are special access services being combined with UNEs today?

For each of DeltaCom's contentions with respect to this Issue, including without limitation those contentions set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority, and (3) pre-filed testimony in other state arbitrations with BellSouth,

- a. State all facts and identify all documents that support each contention;
- b. Identify all authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends supports each contention.
- c. Identify any authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends is inconsistent with BellSouth's position.
- d. State the specific relief DeltaCom currently seeks from the Authority, including any relief that differs from that set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority and (3) pre-filed testimony in other state arbitrations with BellSouth.

44. Issue 37 states as follows:

Conversion of a Special Access Loop to a UNE Loop that Terminates to DeltaCom's Collocation (Attachment 2): Where DeltaCom has a special access loop that goes to DeltaCom's collocation space, can that special access loop be converted to a UNE loop?

For each of DeltaCom's contentions with respect to this Issue, including without limitation those contentions set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority, and (3) pre-filed testimony in other state arbitrations with BellSouth,

- a. State all facts and identify all documents that support each contention;
- b. Identify all authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends supports each contention.
- c. Identify any authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends is inconsistent with BellSouth's position.
- d. State the specific relief DeltaCom currently seeks from the Authority, including any relief that differs from that set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority and (3) pre-filed testimony in other state arbitrations with BellSouth.

45. Issue 39 states as follows:

Definition and Treatment of Local Traffic and Tandem Switching (Attachment 3):

- a) Should local traffic be defined as any call that originates and terminates within the LATA, is originated by either a DeltaCom or BellSouth end-user, and is terminated to a DeltaCom or BellSouth end-user?
- b) Does DeltaCom's switch perform tandem switching?

For each of DeltaCom's contentions with respect to this Issue, including without limitation those contentions set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority, and (3) pre-filed testimony in other state arbitrations with BellSouth,

- a. State all facts and identify all documents that support each contention;
- b. Identify all authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends supports each contention.
- c. Identify any authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends is inconsistent with BellSouth's position.
- d. State the specific relief DeltaCom currently seeks from the Authority, including any relief that differs from that set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority and (3) pre-filed testimony in other state arbitrations with BellSouth.

46. Issue 40 states as follows:

Point of Interconnection ("POI") (Attachment 3):

- a) Can a CLEC select only one POI per LATA?
- b) Should each party pay its own costs to reach that POI within the LATA?
- c) Should DeltaCom's existing POIs be grandfathered (i.e., not moved to an end office)?

For each of DeltaCom's contentions with respect to this Issue, including without limitation those contentions set forth in its (1) Arbitration Petition, (2) position

statements in the Issues Matrices submitted to the Authority, and (3) pre-filed testimony in other state arbitrations with BellSouth,

- a. State all facts and identify all documents that support each contention;
- b. Identify all authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends supports each contention.
- c. Identify any authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends is inconsistent with BellSouth's position.
- d. State the specific relief DeltaCom currently seeks from the Authority, including any relief that differs from that set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority and (3) pre-filed testimony in other state arbitrations with BellSouth.

47. Issue 41 states as follows:

Percent Local Facilities ("PLF") (Attachment 3): Should DeltaCom report a PLF?

For each of DeltaCom's contentions with respect to this Issue, including without limitation those contentions set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority, and (3) pre-filed testimony in other state arbitrations with BellSouth,

- a. State all facts and identify all documents that support each contention;
- b. Identify all authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends supports each contention.

- c. Identify any authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends is inconsistent with BellSouth's position.
- d. State the specific relief DeltaCom currently seeks from the Authority, including any relief that differs from that set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority and (3) pre-filed testimony in other state arbitrations with BellSouth.

48. Issue 42 states as follows:

Audits of PIU/PLU (Attachment 3): Does a party have to pay for an audit if the reported factors are more than 20 percentage points overstated?

For each of DeltaCom's contentions with respect to this Issue, including without limitation those contentions set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority, and (3) pre-filed testimony in other state arbitrations with BellSouth,

- a. State all facts and identify all documents that support each contention;
- b. Identify all authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends supports each contention.
- c. Identify any authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends is inconsistent with BellSouth's position.
- d. State the specific relief DeltaCom currently seeks from the Authority, including any relief that differs from that set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority and (3) pre-filed testimony in other state arbitrations with BellSouth.

49. Issue 44 states as follows:

Establishment of Trunk Groups for Operator Services, Emergency Services, and Intercept (Attachment 3):

Should the interconnection agreement set forth the rates, terms and conditions for the establishment of trunk groups for operator services, emergency services, and intercept?

For each of DeltaCom's contentions with respect to this Issue, including without limitation those contentions set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority, and (3) pre-filed testimony in other state arbitrations with BellSouth,

- a. State all facts and identify all documents that support each contention;
- b. Identify all authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends supports each contention.
- c. Identify any authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends is inconsistent with BellSouth's position.
- d. State the specific relief DeltaCom currently seeks from the Authority, including any relief that differs from that set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority and (3) pre-filed testimony in other state arbitrations with BellSouth.

50. Issue 45 states as follows:

Switched Access Charges Applicable to BellSouth (Attachment 3 – Section 9.2): Should DeltaCom be able to charge BellSouth switched access charges where BellSouth is the interexchange carrier?

For each of DeltaCom's contentions with respect to this Issue, including without limitation those contentions set forth in its (1) Arbitration Petition, (2) position

statements in the Issues Matrices submitted to the Authority, and (3) pre-filed testimony in other state arbitrations with BellSouth,

- a. State all facts and identify all documents that support each contention;
- b. Identify all authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends supports each contention.
- c. Identify any authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends is inconsistent with BellSouth's position.
- d. State the specific relief DeltaCom currently seeks from the Authority, including any relief that differs from that set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority and (3) pre-filed testimony in other state arbitrations with BellSouth.

51. Issue 46 states as follows:

BLV/BLVI (Attachment 3): Does BellSouth have to provide BLV/BLVI to DeltaCom consistent with the language proposed by DeltaCom?

For each of DeltaCom's contentions with respect to this Issue, including without limitation those contentions set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority, and (3) pre-filed testimony in other state arbitrations with BellSouth,

- a. State all facts and identify all documents that support each contention;
- b. Identify all authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends supports each contention.

- c. Identify any authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends is inconsistent with BellSouth's position.
- d. State the specific relief DeltaCom currently seeks from the Authority, including any relief that differs from that set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority and (3) pre-filed testimony in other state arbitrations with BellSouth.

52. Issue 47 states as follows:

Compensation for the Use of DeltaCom's Collocation Space ("Reverse Collocation") (Attachment 4): Should BellSouth be required to compensate DeltaCom when BellSouth collocates in DeltaCom's collocation space? If so, should the same rates, terms and conditions apply to BellSouth that BellSouth applies to DeltaCom?

For each of DeltaCom's contentions with respect to this Issue, including without limitation those contentions set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority, and (3) pre-filed testimony in other state arbitrations with BellSouth,

- a. State all facts and identify all documents that support each contention;
- b. Identify all authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends supports each contention.
- c. Identify any authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends is inconsistent with BellSouth's position.
- d. State the specific relief DeltaCom currently seeks from the Authority, including any relief that differs from that set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority and (3) pre-filed testimony in other state arbitrations with BellSouth.

53. Issue 50 states as follows:

Subsequent Application Fee and Application Modification (Attachment 4 – Section 6.3.1): Can BellSouth charge a subsequent application fee and/or other charges when no work is actually required?

For each of DeltaCom's contentions with respect to this Issue, including without limitation those contentions set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority, and (3) pre-filed testimony in other state arbitrations with BellSouth,

- a. State all facts and identify all documents that support each contention;
- b. Identify all authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends supports each contention.
- c. Identify any authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends is inconsistent with BellSouth's position.
- d. State the specific relief DeltaCom currently seeks from the Authority, including any relief that differs from that set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority and (3) pre-filed testimony in other state arbitrations with BellSouth.

54. Issue 51 states as follows:

Reciprocity of Charges (OSS Charges, Expedite Charges, "Change in Service Provider or Disconnect Charges", and any other Charges) (Attachments 1, 5 and 6):

- a) Is DeltaCom entitled to assess charges to BellSouth for work performed on LSRs sent from BellSouth to DeltaCom (i.e., an OSS charge)?

- b) Should DeltaCom be able to assess against BellSouth a "Change in Service Provider" charge?
- c) Should DeltaCom be able to assess charges for work or performance for BellSouth?

For each of DeltaCom's contentions with respect to this Issue, including without limitation those contentions set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority, and (3) pre-filed testimony in other state arbitrations with BellSouth,

- a. State all facts and identify all documents that support each contention;
- b. Identify all authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends supports each contention.
- c. Identify any authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends is inconsistent with BellSouth's position.
- d. State the specific relief DeltaCom currently seeks from the Authority, including any relief that differs from that set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority and (3) pre-filed testimony in other state arbitrations with BellSouth.

55. Issue 53 states as follows:

Rates and Charges not Ordered by the TRA (All Rate Sheets; Attachment 6 – Section 6; Attachment 2 – Section 22.3.3):

- a) Should BellSouth be permitted to impose charges related to UNEs that have not been ordered by the TRA in its recent Order in the generic docket for setting UNE rates?
- b) Should BellSouth provide rate sheets for its contracts that specifically and separately identify those rates that have been approved by the TRA from those rates that BellSouth is proposing?

For each of DeltaCom's contentions with respect to this Issue, including without limitation those contentions set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority, and (3) pre-filed testimony in other state arbitrations with BellSouth,

- a. State all facts and identify all documents that support each contention;
- b. Identify all authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends supports each contention.
- c. Identify any authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends is inconsistent with BellSouth's position.
- d. State the specific relief DeltaCom currently seeks from the Authority, including any relief that differs from that set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority and (3) pre-filed testimony in other state arbitrations with BellSouth.

56. Issue 54 states as follows:

Reimburse Costs to Accommodate Modifications (Attachment 2 – Section 2.2.2.8): Can BellSouth impose a charge that has not been approved by the TRA for changes to an order after an FOC has been issued?

For each of DeltaCom's contentions with respect to this Issue, including without limitation those contentions set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority, and (3) pre-filed testimony in other state arbitrations with BellSouth,

- a. State all facts and identify all documents that support each contention;

- b. Identify all authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends supports each contention.
- c. Identify any authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends is inconsistent with BellSouth's position.
- d. State the specific relief DeltaCom currently seeks from the Authority, including any relief that differs from that set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority and (3) pre-filed testimony in other state arbitrations with BellSouth.

57. Issue 8 states as follows:

Resend of CFA Fee: Is the CFA fee reasonable and cost-based.

With respect to this issue, DeltaCom contends as follows:

No. The cost associated with resending a CFA is nominal and does not support BellSouth's proposed rate.

For each of DeltaCom's contentions with respect to this Issue, including without limitation those contentions set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority, and (3) pre-filed testimony in other state arbitrations with BellSouth,

- a. State all facts and identify all documents that support each contention;
- b. Identify all authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends supports each contention.
- c. Identify any authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends is inconsistent with BellSouth's position.

- d. State the specific relief DeltaCom currently seeks from the Authority, including any relief that differs from that set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority and (3) pre-filed testimony in other state arbitrations with BellSouth.

58. Issue 8 states as follows:

Cancellation Charges:

- a) May BellSouth charge a cancellation charge which has not been approved by the TRA?
- b) Are these costs already captured in the existing UNE approved rates?

For each of DeltaCom's contentions with respect to this Issue, including without limitation those contentions set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority, and (3) pre-filed testimony in other state arbitrations with BellSouth,

- a. State all facts and identify all documents that support each contention;
- b. Identify all authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends supports each contention.
- c. Identify any authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends is inconsistent with BellSouth's position.
- d. State the specific relief DeltaCom currently seeks from the Authority, including any relief that differs from that set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority and (3) pre-filed testimony in other state arbitrations with BellSouth.

59. Issue 57 states as follows:

Rates and Charges for Conversion of Customers from Special Access to UNE-based Service (Attachment 2 – Section 2.3.1.6):

- a) Should BellSouth be permitted to charge for DeltaCom conversions of customers from a special access loop to a UNE loop?
- b) Should the conversion be completed such that there is no disconnect and reconnect (i.e., no outage to the customer)?

For each of DeltaCom's contentions with respect to this Issue, including without limitation those contentions set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority, and (3) pre-filed testimony in other state arbitrations with BellSouth,

- a. State all facts and identify all documents that support each contention;
- b. Identify all authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends supports each contention.
- c. Identify any authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends is inconsistent with BellSouth's position.
- d. State the specific relief DeltaCom currently seeks from the Authority, including any relief that differs from that set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority and (3) pre-filed testimony in other state arbitrations with BellSouth.

60. Issue 58 states as follows:

Unilateral Amendments to the Interconnection Agreement (Attachment 6 – Sections 1.8 and 1.13.2; Attachment 3):

- a) Should the Interconnection Agreement refer to BellSouth's website address to Guides such as the Jurisdictional Factor Guide?

- b) Should BellSouth be required to post rates that impact UNE services on its website?

For each of DeltaCom's contentions with respect to this Issue, including without limitation those contentions set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority, and (3) pre-filed testimony in other state arbitrations with BellSouth,

- a. State all facts and identify all documents that support each contention;
- b. Identify all authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends supports each contention.
- c. Identify any authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends is inconsistent with BellSouth's position.
- d. State the specific relief DeltaCom currently seeks from the Authority, including any relief that differs from that set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority and (3) pre-filed testimony in other state arbitrations with BellSouth.

61. Issue 59 states as follows:

Payment Due Date (Attachment 7 – Sections 1.4 and 1.4.1): Should the payment due date be thirty days from the receipt of the bill?

For each of DeltaCom's contentions with respect to this Issue, including without limitation those contentions set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority, and (3) pre-filed testimony in other state arbitrations with BellSouth,

- a. State all facts and identify all documents that support each contention;
- b. Identify all authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends supports each contention.
- c. Identify any authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends is inconsistent with BellSouth's position.
- d. State the specific relief DeltaCom currently seeks from the Authority, including any relief that differs from that set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority and (3) pre-filed testimony in other state arbitrations with BellSouth.

62. Issue 60 states as follows:

Deposits (Attachment 7 – Section 1.11):

- a) Should the deposit language be reciprocal?
- b) Must a party return a deposit after generating a good payment history?

For each of DeltaCom's contentions with respect to this Issue, including without limitation those contentions set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority, and (3) pre-filed testimony in other state arbitrations with BellSouth,

- a. State all facts and identify all documents that support each contention;
- b. Identify all authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends supports each contention.

- c. Identify any authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends is inconsistent with BellSouth's position.
- d. State the specific relief DeltaCom currently seeks from the Authority, including any relief that differs from that set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority and (3) pre-filed testimony in other state arbitrations with BellSouth.

63. Issue 61 states as follows:

Method of Filing Billing Disputes (Attachment 7 – Section 3.2): Should BellSouth use the same form and procedure for submitting a billing dispute to DeltaCom that BellSouth imposes on DeltaCom?

For each of DeltaCom's contentions with respect to this Issue, including without limitation those contentions set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority, and (3) pre-filed testimony in other state arbitrations with BellSouth,

- a. State all facts and identify all documents that support each contention;
- b. Identify all authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends supports each contention.
- c. Identify any authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends is inconsistent with BellSouth's position.
- d. State the specific relief DeltaCom currently seeks from the Authority, including any relief that differs from that set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority and (3) pre-filed testimony in other state arbitrations with BellSouth.

64. Issue 62 states as follows:

Limitation on Back Billing (Attachment 7 – Section 3.5): What is the limit on back billing for undercharges?

For each of DeltaCom's contentions with respect to this Issue, including without limitation those contentions set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority, and (3) pre-filed testimony in other state arbitrations with BellSouth,

- a. State all facts and identify all documents that support each contention;
- b. Identify all authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends supports each contention.
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65. Issue 63 states as follows:

Audits (Attachment 7): Is it appropriate to include language for audits of the parties' billing for services under the interconnection agreement?

For each of DeltaCom's contentions with respect to this Issue, including without limitation those contentions set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority, and (3) pre-filed testimony in other state arbitrations with BellSouth,

- a. State all facts and identify all documents that support each contention;
- b. Identify all authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends supports each contention.
- c. Identify any authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends is inconsistent with BellSouth's position.
- d. State the specific relief DeltaCom currently seeks from the Authority, including any relief that differs from that set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority and (3) pre-filed testimony in other state arbitrations with BellSouth.

66. Issue 64 states as follows:

ADUF: What terms and conditions should apply to ADUF?

For each of DeltaCom's contentions with respect to this Issue, including without limitation those contentions set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority, and (3) pre-filed testimony in other state arbitrations with BellSouth,

- a. State all facts and identify all documents that support each contention;
- b. Identify all authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends supports each contention.
- c. Identify any authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends is inconsistent with BellSouth's position.

- d. State the specific relief DeltaCom currently seeks from the Authority, including any relief that differs from that set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority and (3) pre-filed testimony in other state arbitrations with BellSouth.

67. Issue 65 states as follows:

**Notification of Changes to OSS and Changes of Business Rules/Practices
(Attachment 6 – Sections 1 and 1.13.2):**

- b) Must BellSouth be required to provide notice 60 days in advance of deployment of OSS changes that would impact DeltaCom?

For each of DeltaCom's contentions with respect to this Issue, including without limitation those contentions set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority, and (3) pre-filed testimony in other state arbitrations with BellSouth,

- a. State all facts and identify all documents that support each contention;
- b. Identify all authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends supports each contention.
- c. Identify any authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends is inconsistent with BellSouth's position.
- d. State the specific relief DeltaCom currently seeks from the Authority, including any relief that differs from that set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority and (3) pre-filed testimony in other state arbitrations with BellSouth.

68. Issue 66 states as follows:

Testing of End-User Data (Attachment 6 – Section 1.3): Should BellSouth provide testing of DeltaCom end-user data to the same extent BellSouth does such testing of its own end user data?

For each of DeltaCom's contentions with respect to this Issue, including without limitation those contentions set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority, and (3) pre-filed testimony in other state arbitrations with BellSouth,

- a. State all facts and identify all documents that support each contention;
- b. Identify all authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends supports each contention.
- c. Identify any authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends is inconsistent with BellSouth's position.
- d. State the specific relief DeltaCom currently seeks from the Authority, including any relief that differs from that set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority and (3) pre-filed testimony in other state arbitrations with BellSouth.

69. Issue 67 states as follows:

Availability of OSS Systems (Attachment 6 – Section 3.3): May BellSouth shut down OSS systems during normal working hours (8 a.m. to 5 p.m.) without notice or consent from DeltaCom?

For each of DeltaCom's contentions with respect to this Issue, including without limitation those contentions set forth in its (1) Arbitration Petition, (2) position

statements in the Issues Matrices submitted to the Authority, and (3) pre-filed testimony in other state arbitrations with BellSouth,

- a. State all facts and identify all documents that support each contention;
- b. Identify all authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends supports each contention.
- c. Identify any authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends is inconsistent with BellSouth's position.
- d. State the specific relief DeltaCom currently seeks from the Authority, including any relief that differs from that set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority and (3) pre-filed testimony in other state arbitrations with BellSouth.

70. Issue 69 states as follows:

Inadvertent Transfer of Customers: Should there be a process to allow a carrier to return a customer to its preferred provider in situations where the customer was inadvertently transferred to either DeltaCom or BellSouth?

For each of DeltaCom's contentions with respect to this Issue, including without limitation those contentions set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority, and (3) pre-filed testimony in other state arbitrations with BellSouth,

- a. State all facts and identify all documents that support each contention;
- b. Identify all authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends supports each contention.

- c. Identify any authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends is inconsistent with BellSouth's position.
- d. State the specific relief DeltaCom currently seeks from the Authority, including any relief that differs from that set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority and (3) pre-filed testimony in other state arbitrations with BellSouth.

71. Issue 70 states as follows:

Reimbursement of Costs for Trouble Analysis and Error Resolution: Should BellSouth reimburse DeltaCom for DeltaCom's costs where BellSouth's errors require DeltaCom to do trouble analysis and error resolution?

For each of DeltaCom's contentions with respect to this Issue, including without limitation those contentions set forth in its (1) Arbitration Petition, (2) position statements in the Issues Matrices submitted to the Authority, and (3) pre-filed testimony in other state arbitrations with BellSouth,

- a. State all facts and identify all documents that support each contention;
- b. Identify all authority (including, without limitation, federal and state statutes, federal and state agency decisions, and federal and state case law) or regulatory policy that DeltaCom contends supports each contention.
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REQUESTS FOR PRODUCTION OF DOCUMENTS

1. Please produce all documents that are identified in, that support, or that are otherwise related to your responses to BellSouth's First Interrogatories.

Respectfully submitted,

BELLSOUTH TELECOMMUNICATIONS, INC.

By. 

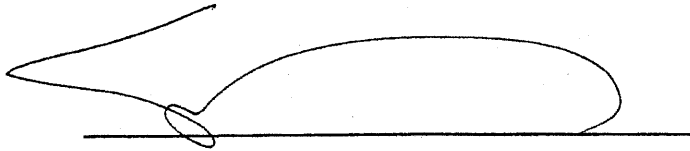
Guy M. Hicks
Joelle J. Phillips
333 Commerce Street, Suite 2101
Nashville, TN 37201-3300
615/214-6301

CERTIFICATE OF SERVICE

I hereby certify that on June 12, 2003, a copy of the foregoing document was served on the parties of record, via the method indicated:

- ☒ Hand
- ☐ Mail
- ☐ Facsimile
- ☐ Overnight

Henry Walker, Esquire
Boult, Cummings, et al.
414 Union Street, #1600
Nashville, TN 37219-8062

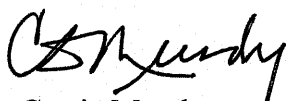
A handwritten signature in black ink, appearing to be "Henry Walker", is written over a horizontal line. The signature is stylized with a large loop and a sharp point at the end.

June 24, 2003

Re: Docket 03-00119

Sharla Dillon:

Joe Werner, the Pre-Arbitration Officer requested that this be placed in the docket file.


Carsie Mundy

RECEIVED

2003 JUN 24 PM 3 57

T.R.A. DOCKET ROOM